

Board of Trustees Monthly Meeting January 12, 2010

The Board of Trustees of the Village of Cold Spring held their regular monthly meeting on Tuesday, January 12, 2010 at 7:30 PM at Village Hall, 85 Main Street, Cold Spring, NY.

Attending: Mayor Seth Gallagher and Trustees: Lynn Miller, Bruce Campbell, Gordon Robertson and J. Ralph Falloon

Also: Ellen Mageean, Village Accountant, Stephen Smith, Fire Inspector, William Bujarski, Building Inspector and Stephen Gaba, Village Attorney

Mayor Gallagher called the meeting to order followed by the Pledge of Allegiance. The minutes of the following meetings were submitted for board review and approval: 12-10-2009 audit review and monthly meeting, 12-15-2009 workshop, 12-22-2009 workshop, 12-23-2009 bid opening, 1-05-2010 workshop. Trustee Miller moved to approve the minutes with the addition of a title indicating that the 12-10-2009 workshop was an audit review. Motion seconded by Trustee Campbell and unanimously approved.

Financial Report

Resolution #: 2010-01 Moved by: Bruce Campbell, Trustee
Seconded by: Lynn Miller, Trustee

Resolution #2010-01

Resolved that (1) The Board of Trustees of The Village of Cold Spring hereby approves the following Budget Adjustment(s) for the 2009/2010 fiscal year:

To:	A00-2376-000	Refuse/Garbage Srv – Other Gov't	\$7,500.00
From:	A002610-000	Fines & Forfeited Bail	\$7,500.00
		To transfer money to Refuse and Garbage for money received from the County	
To:	A00-1560-000	Safety Inspection Fees	\$3,000.00
From:	A00-2401-000	Interest and Earnings	\$3,000.00
		To transfer money to safety inspection fees due to higher than anticipated fee revenue and lower than anticipated interest revenues	
To:	A00-1420-400	Attorney: Contractual	\$3,000.00
To:	A00-1420-410	Attorney: Special	\$5,000.00
From:	A00-5110-400	Highway Street Maint. – Resurface	\$8,000.00
		To transfer money for additional attorney fees for projected expenses including Kearney Article 78 appeal and labor negotiations	
To:	A00-2262-001	Fire Protection Service – Philipstown	\$5,000.00

To:	A00-3410-470	Fire Protection Service – Philipstown	\$5,000.00
		To increase the revenue and expense due to an increase in the amount related to Philipstown's fire protection.	

And (2) The accountant is hereby authorized to transfer such funds immediately.

On roll call vote:

Trustee Ralph Falloon voted: Yes
Trustee Bruce Campbell voted: Yes
Trustee Gordon Robertson voted: Yes
Trustee Lynn Miller voted: Yes
Mayor Seth Gallagher voted: Yes
Resolution officially adopted on: 1-12-2010

Over the past several years, the due to due from accounts have not been cleared. At the end of December 2009, all due to and due from accounts have been reconciled and the cash has been transferred to the appropriate accounts. This has resulted in negative balances in the H02 Railroad Underpass account (\$5205.35) and H05 Sewer Plant Renovations account. The village needs to file for monies from Environmental Facilities Corporation to replenish the sewer renovation funds and will seek guidance from our auditors for handling the railroad underpass account.

In order to comply with the GASB 45 requirements, the village will need to prepare post employment benefit actuarial calculations for which software is needed. A proposal has been received from Milliman (the only company that provides this software) in the amount of \$2,800. There was discussion about whether this software was actually required and where funds could be located to pay this expense. The possibility of using shared services with another community was mentioned. Delinquent tax notices have been sent out. The State Comptroller's schedule for budget preparation was reviewed.

Building Department

Mr. Bujarski is instituting a system for tracking complaints and referrals and has met with the Planning and Zoning Chairmen. Trustee Robertson asked for a report on the status of all violations. There was discussion about reinstituting the Assistant Building Inspector position.

Fire Inspector

Inspections have been performed and complaints responded to.

Police Department – no report was available due to illness of the Officer-in-Charge.

Justice Court- \$6090 was collected during the month of December.

Water Department

A six percent increase in flow is most likely due to a known leak on Fair Street. The department is awaiting more favorable weather conditions to attempt repair. There was discussion of recent newspaper articles pertaining to water quality.

Wastewater Department

Mr. Phillips is developing the annual status report to the NYSDEC for inflow and infiltration efforts during 2009. To that end, a new flow recorder has been purchased and installed at the West Street pump station and will track trends constantly and provide analysis to be used in determining I & I possibilities. It is portable and can be used in other stations as well.

Recreation Report – no meeting was held during the month.

Chamber of Commerce Report- The Chamber is making plans to celebrate their 100th anniversary in June. Reorganization is continuing and the Chamber is investigating the possibility of establishing a legislative committee. A request for contributions to the July Community Day celebration was made.

Fire Company Liaison – Two false fire alarms recently occurred at Haldane Central School during a one- hour period. The Fire Company forwarded a letter to the school asking them to address this matter. The fire department requested monthly bills for their gasoline use and also streamlined procedures for fire company contractual payments.

Special Board Report – Through November and December, the board worked toward an extension to the December 2006 agreement with the Department of State for an LWRP. The extension could take three months or more and funding would need to be re-appropriated in the state budget. The Special Board has suspended their work on the LWRP. One option is to proceed with work on a Comprehensive Plan without LWRP funds.

Joseph Barbaro submitted his resignation as Planning Board representative to the Special Board with a recommendation that Karen Doyle replace him. Trustee Robertson moved to appoint Karen Doyle as Planning Board liaison to the Special Board and seconded by Trustee Miller and unanimously approved.

Report of the Mayor and Board of Trustees

Trustee Campbell reported on the status of NYSDOT local projects for Main Street lighting improvements. In a recent meeting with representatives from Clough Harbor Associates a proposed timeline was discussed. The plan is to establish a streetscape steering advisory committee and to provide an open house for public comment and opinions. Construction will not begin until 2012.

Discussions with the NYSDOT have focused on the possibility of combining the two local projects, as the scope of work is overlapping. The DOT sees this request as sensible but will need to look at budgets before making a determination

Trustee Falloon contacted Peerless Company to discuss addition of a pump station to supplement the municipal water supply for fire service.

Trustee Miller reported that the first meeting of the Census Complete Count Committee has been scheduled. Testing for census jobs is currently underway.

Mayor Gallagher reported that temporary access to the village dams has been established and emergency repairs were completed.

Ron Gainer, P. E. was contacted to update a 1992 study of the water distribution system and will be providing a proposal.

Correspondence

Putnam County Youth Bureau is holding their annual awards dinner on Friday, April 9th and is seeking nominations of local youth volunteers for recognition.

The January 2010 issue of the Grant Action News has been received.

The Public Service Commission is seeking public comments on an application filed in July 31, 2009 in which Central Hudson Gas & Electric has proposed new rates, effective July 1, 2010.

Unfinished Business

Stephen Gaba provided a proposed local law to amend Chapter 134 Zoning, Section 134-18 entitled, "Supplemental Regulations applying to All Districts" to provide payment of a fee in lieu of off-street parking (**as per attached**). Board members discussed the proposed local law and it was decided to refer to the planning and zoning boards prior to setting a public hearing date.

Hudson Highlands Land Trust received and accepted a proposal from James Hartford, of River Architects to provide design services for lighting-related site improvements for the village dock.

New Business

Mayor Gallagher proposed a bill of rights for village customers along with a customer feedback form. Forms will be distributed with building permit applications, on the village website and when receiving village services. After discussion, the board decided to rename to Rights and Responsibilities. Trustee Lynn Miller moved to approve as policy of Village of Cold Spring and seconded by Trustee Bruce Campbell and unanimously approved.

RESOLUTION 2010-02

WHEREAS the Village of Cold Spring Board of Trustees wishes to provide the opportunity for all residents to vote at the March 16, 2010 Village Election, and

WHEREAS the Village Board of Trustees by New York State Election Law Chapter 15, Section 104(3) sets the location of the Village Election and determines the hours that the polls are open; and

WHEREAS after consideration of practical and budgetary concerns, the Board has determined that it is in the best interest of the village to extend voting hours. In order to prevent voter confusion regarding the hours that polls are open, the board desires to conform with the polling hours set for presidential, town and county elections;

NOW THEREFORE BE IT RESOLVED that, the Board of Trustees of the Village of Cold Spring will hold the annual Village Election on March 16, 2010 at the Cold Spring Firehouse, 154 Main Street and sets the hours that the polls are open at 6 am to 9 pm.

Trustee Gordon Robertson moved the foregoing resolution which was seconded by Trustee Ralph Falloon.

On roll call vote:

Trustee M. Lynn Miller voted Yes
Trustee Bruce Campbell voted Yes
Trustee Gordon Robertson voted Yes
Trustee J. Ralph Falloon voted Yes
Mayor Seth Gallagher voted Yes

Resolution adopted 1-12-2010.

RESOLUTION 2010-03

WHEREAS, there has been little interest or participation in Village voter registration; and

WHEREAS, village registration only applies to the upcoming village election which causes voter confusion and dissatisfaction; and

WHEREAS, residents may register with the Putnam County Board of Elections for general, town, village, special and school elections by completing an application which is readily available at village and town halls and online;

NOW THEREFORE BE IT RESOLVED, no village voter registration day will be held for the upcoming village election and furthermore this resolution will be effective for all village elections occurring more than sixty days after this date.

Trustee Lynn Miller moved the foregoing resolution which was seconded by Trustee Bruce Campbell.

On roll call vote:

Trustee M. Lynn Miller voted Yes
Trustee Bruce Campbell voted Yes
Trustee Gordon Robertson voted Yes
Trustee J. Ralph Falloon voted Yes
Mayor Seth Gallagher voted Yes.
Resolution adopted January 12, 2010.

Resolution #2010-04

The Board of Trustees of the Village of Cold Spring hereby resolves to appoint the following individuals as Election Inspectors for the Tuesday, March 16, 2010 Village Election:

Inspectors: Lynn Hynes, 15 Fair Street, Cold Spring, NY 10516
Karen Virgadamo, 20 Church Street, Cold Spring, NY 10516
Adam Huston, 3 Stone Street, Cold Spring, NY 10516
Josephine Pidala, 1 Hamilton Street, Cold Spring, NY 10516
Marie Early, 16 Grandview Terrace, Cold Spring, NY 10516
Sara Dulaney, 7 Garden Street, Cold Spring, NY 10516
Audra Mazza, 9 Forge Gate Drive, Unit E1, Cold Spring, NY 10516

Chair: Donna Steltz, 17 Church Street, Cold Spring, NY 10516

Alternates: Susan Peehl, 13 Fair Street, Cold Spring, NY 10516
Rhoda Needleman, 62 Chestnut Street, Cold Spring, NY 10516
Elizabeth Armstrong, 7 Morris Avenue, Cold Spring, NY 10516

The hourly wage for election inspectors shall be set at **\$10.00** per hour.

Trustee Lynn Miller moved the foregoing resolution which was seconded by Trustee Bruce Campbell.

On roll call vote:

Trustee M. Lynn Miller voted Yes
Trustee Bruce Campbell voted Yes
Trustee Gordon Robertson voted Yes
Trustee J. Ralph Falloon voted Yes
Mayor Seth Gallagher voted Yes

Resolution officially adopted on January 12, 2010.

The board discussed assignment of a recent claim to the firm of Drake, Loeb et al. Trustee Robertson pointed out that he had no problem with the firm but thought the carrier should make the selection not the village. He asked if NYMIR could make this selection without the village approving. Mayor Gallagher moved to select Drake Loeb as counsel for the claim and seconded by Trustee Lynn Miller. After additional discussion, a roll call vote was taken.

On roll call vote:

Trustee M. Lynn Miller voted Yes

Trustee Bruce Campbell voted Yes

Trustee Gordon Robertson voted No

Trustee J. Ralph Falloon voted Yes

Mayor Seth Gallagher voted Yes

The Fireman Service Award Listing for the year 2009 was presented for board review and approval. Trustee Ralph Falloon pointed out that he will abstain from this vote as he is enrolled in the program.

Trustee Lynn Miller moved to approve the Fireman's Service Award point listing as presented and seconded by Trustee Gordon Robertson. Trustees Miller, Campbell, Robertson and Mayor Gallagher voted in favor with Trustee Falloon abstaining.

The Board approved of an updated corporate resolution from RBC Wealth Management for the Length of Service Award Program **as per attached.**

Public Comment

Liz Armstrong asked if the parking regulations listed in the village zoning code could be eliminated.

A. Serradas inquired about revenues for the village with the proposed local law vs. installation of parking meters.

M. Armstrong added that the proposed law was well thought out and urged the board to set a fee that would allow reasonable adaptive use.

Sara Dulaney spoke about Cablevision increasing rates and cutting channels. She hasn't had any success with writing the Public Service Commission and asked the Mayor and Board to negotiate with Cablevision on behalf of the community. Mayor Gallagher suggested a meeting between the town, two villages and a Cablevision representative.

Bill Approval

Trustee Miller moved to approve of the audited bills and seconded by Trustee Falloon and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk